

591—6.15(424) Reinstatement of revoked permit. A revoked permit shall be reinstated only on such terms and conditions as the case may warrant. Terms and conditions shall include payment of any tax, charge, penalty or interest due to the department, or upon receipt by the department of a withdrawal of a certificate of noncompliance from the child support recovery unit. Pursuant to the director's statutory authority in Iowa Code section 424.5, to restore permits after a revocation, the director has determined that upon the revocation of a depositor's permit the permit holder will be required to pay all delinquent child support under Iowa Code chapter 252J; to pay all delinquent charges or taxes, file returns, post a bond and refrain from chargeable occurrences under Iowa Code section 424.3, prior to the reinstatement or issuance of a new depositor's permit.

As set forth above, the director may impose a waiting period not to exceed 90 days during which a permit holder must refrain from chargeable occurrences, before the director restores a permit or issues a new permit after a revocation. The department may require a sworn affidavit, subject to the penalty for perjury, stating that a permit holder has fulfilled all requirements of an order of revocation and stating the dates during which the permit holder refrained from chargeable occurrences. A permit revoked for nonpayment of child support will be reinstated upon receipt from the child support recovery unit of a withdrawal of the certificate of noncompliance.

6.15(1) Each of the following situations will be considered one offense, for the purpose of determining the waiting period to reinstate a revoked permit or issue a new permit after a revocation unless otherwise noted.

- a.* Failure to post a bond as required.
- b.* Failure to timely file a return.
- c.* Failure to timely pay the charge or any tax, interest or penalty administered by the department (including unhonored checks and late payments).
- d.* Failure to comply with any of the provisions of 1989 Iowa Acts, chapter 131, or any rule or order of the department or board.

6.15(2) An administrative law judge or the director may order a waiting period after revocation not to exceed:

- a.* Five days for one through five offenses.
- b.* Seven days for six through seven offenses.
- c.* Ten days for eight through nine offenses.
- d.* Thirty days for ten offenses or more.

6.15(3) An administrative law judge or the director may order a waiting period not to exceed:

- a.* Forty-five days if a second revocation occurs within 24 months of a first revocation.
- b.* Sixty days if a second revocation occurs within 18 months of the first revocation.
- c.* Ninety days if a second revocation occurs within 12 months of the first revocation.
- d.* Ninety days if a third or subsequent revocation occurs at any time after a second or other prior revocation.

This rule is intended to implement Iowa Code section 424.5 and Iowa Code chapter 252J.